

SEP 17 2012

Department of Water Resources
Eastern Region

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Transfer No. 78134

Receipt No. E038031

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information ROBERT F KINCAID
 30560 252ND ST
 PRESNO SD 57568
 (208)313-2713

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
22-14054	WR/Decreed	0.70			33.0	FOX CREEK

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
22-14054	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

The purpose of the transfer is to rearrange the place of use in order to irrigate common areas within a subdivision. Fox Creek Canal Company carries this privately held water right. There are on canal company shares associated with the property.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
22-14054	0.70 cfs		33.0	
TOTAL	0.70 cfs	33.0	33.0	

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STATE OF IDAHO
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PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Robert F. Kincaid

(Signature of Applicant)

Owner

(Title or Office)

Subscribed and sworn to before me this _____ day of _____, 20____.

(Notary Public)

My commission expires _____

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 22-14054

Priority Date: June 01, 1890

Origin: Water Right

Basis: Decreed

Status: Active

Source: FOX CREEK**Tributary:** TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.70 CFS		
	Total Diversion	0.70 CFS		

Source and Point(s) of Diversion:

FOX CREEK L4 (SWSWNE) Sec. 29 Twp 04N Rge 46E TETON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE					
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>	
04N	45E	23																20.0	13.0	33.0

Total Acres: 33

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Documentation of Ownership of the Current Place of Use

WARRANTY DEED

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

PORTION WILL CONTINUE TO BE WATERED. THE REMAINDER WILL BE DRY AND
MOVED TO ADJACENT LAND.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A

Proposed Water Right No. 22-14054

Priority Date: June 01, 1890

Origin: Water Right

Basis: Decreed

Status: Active

Source: FOX CREEK

Tributary: TETON RIVER

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/15 10/31	0.70 CFS		
	Total Diversion	0.70 CFS		

Source and Point(s) of Diversion:

FOX CREEK L4 (SWSWNE) Sec. 29 Twp 04N Rge 46E TETON County

Describe the proposed diversion system

Point of Diversion # 1 DELIVERY BY NORTHWEST FOX CREEK SPRINKLER IRRIG CO (75 SHARES).

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 45E 23													11.8	9.8	1.6	9.8	33.0

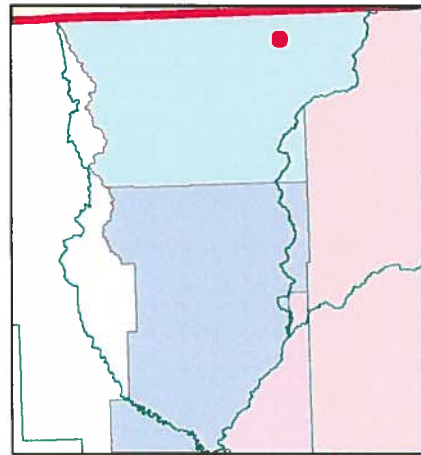
Total Acres: 33



Idaho Department of Water Resources

Water Right
22-14054
(IRRIGATION)

-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22
Prepared by Holliday, Michael

2009 Aerial Photography

